

	SACRAMENTO POLICE DEPARTMENT GENERAL OFFENSE HARDCOPY	
	GO# SA 2018-266918 SUSPENDED-NO INVESTIGATIVE LEADS	3599-20 11366 HS MAINTN PLACE TO SELL

Follow Up Report # SA 1 - NOT COMPLETED

Related Attachment(s) - SEARCH WARRANT

Attachment Description: 7636 TIERRA WOOD SEARCH WARRANT

Reference Number:

SW# _____

STATE OF CALIFORNIA - COUNTY OF SACRAMENTO
SEARCH WARRANT AND AFFIDAVIT
(AFFIDAVIT)

Trevor Schwertfeger #765, swears under oath that the facts expressed by him in the attached and incorporated Statement of Probable Cause, consisting of 7 pages, are true and that based thereon he has probable cause to believe and does believe that the property described below is lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and is now located at the location(s) set forth below. Wherefore, affiant requests that this Search Warrant be issued.

Night Search Requested YES [] NO [XX]
 Justification on page(s) { }

Signature of Affiant, after being sworn  #765

Electronically reviewed by Donna Glissing, a Deputy District Attorney with the Sacramento County District Attorney's Office.

(SEARCH WARRANT)

**THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY PEACE OFFICER IN THE
COUNTY OF SACRAMENTO:**

Proof by affidavit having been made before me by Trevor Schwertfeger #765, that there is probable cause to believe that the property described herein may be found at the locations set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 as indicated below by "X" (s) in that it:

- was stolen or embezzled
- X was used as the means of committing a felony
- X is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery.
- X tends to show that a felony has been committed or that a particular person has committed a felony.



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YOU ARE THEREFORE COMMANDED TO SEARCH:

THE PREMISES KNOWN AND DESCRIBED AS:

7636 Tierra Wood Way, City and County of Sacramento, State of California.
 7636 Tierra Wood Way is a single family, single story residence located on the south side of Tierra Wood Way. It is the second house east of the intersection of Tierra Wood Way and Solara Way. It is tan in color with light tan trim and a grey composite roof. It has a single front door that faces north. The garage door is north of the front door and faces north. The garage door is white in color with light tan trim. The numbers 7636 are gold in color and mounted east of the garage door facing north. The numbers are positioned diagonally and can be clearly seen from the street.

Also to include all attics, basements, and other parts therein, garages, storage sheds, storage lockers, garbage cans, safes, containers, mailboxes and out buildings of any kind located or belonging to the premises.

THE PERSON(S):

Rong Ai Li, male Asian adult DOB: 27 years old, 5'10", 150 lbs, black eyes, black hair, CDL , SSN:

THE FOLLOWING VEHICLE(S):

Any and all vehicles found to be in under care and control of the occupants 7636 Tierra Wood Way, Sacramento, CA 95828 at time of the execution of the search warrant, as evidenced by DMV registration, suspect, or witness statements as to actual use or possession of vehicle(s), or possession of vehicle key(s).

FOR THE FOLLOWING PROPERTY:

Marijuana; and items commonly associated with the cultivation and packaging for sale of marijuana, such as: baggies, scales, pay/owe sheets, records of growing cycles and light cycles.

Property or items utilized for the cultivation of marijuana, such as: seeds, fertilizer, irrigation devices, garden tools, growing containers, electrical devices which aid in the growth of marijuana plants, such as timers, pumps, ballast, lights, climate control devices, generators, and books or instructional manuals to aid in the growing of marijuana.

Receipts, invoices or bills showing the purchase or sale of property or items utilized for the cultivation of marijuana, such as: seeds, fertilizer, irrigation devices, garden tools, growing containers, electrical devices which aid in the growth of marijuana plants, such as timers, pumps, ballast, lights, climate control devices, and books or instructional manuals to aid in the growing of marijuana.



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Documents and items showing dominion and control over the premise; including but not limited to: keys, letters, bills, addressed mail/envelopes, and receipts for occupants, correspondence from financial institutions, articles of personal property tending to establish the identity of the person(s) in control of the premise(s), vehicle(s), storage areas, safes, out buildings and containers being searched.

Officers are authorized to have employees from Code Enforcement, Dangerous Buildings, the Fire Department and representatives from SMUD assist them during their investigation.

All data storage devices, computer devices or cellular phones. Any electronic devices will not be searched unless an additional search warrant is issued pursuant to SB178

AND TO SEIZE IT IF FOUND and bring it forthwith before me, or this court, at the courthouse of this court.

This Search Warrant and incorporated Affidavit was sworn to and subscribed before me this 21st day of August, 2018, at 10:47 A.M. P.M.

Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

Signature of Magistrate David W. Abbott
DAVID W. ABBOTT



Executed by SCHWABEPCRA#765 Date 8/23/18 Hour 1253



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**AFFIDAVIT OF TREVOR SCHWERTFEGER
IN SUPPORT OF A SEARCH WARRANT**

I, Trevor Schwertfeger, your Affiant, have been a duly sworn peace officer with the Sacramento Police Department since September of 2016. I attended University of California, Davis, where I studied Geology, Computer Science, and Evolutionary Biology from September of 2012 to September of 2016. I am currently completing a Bachelor's degree in Forensic Psychology through Arizona State University.

In July of 2015, I entered the Sacramento Police Academy. I graduated December 17, 2015. I was assigned to the Office of Operations as a uniformed Community Service Officer. During that time, I conducted and assisted in no less than one hundred and fifty (150) investigations, including but not limited to; collisions, burglaries, vandalism, larcenies, and missing persons.

On September 28, 2016, I was sworn in as Police Officer with the Sacramento Police Department. I was assigned to the Office of Operations as a uniformed Patrol Officer. During that time, I have conducted, as well as participated in, no less than two hundred (200) preliminary criminal investigations, including but not limited to; murder, rape, robbery, assault, fraud, larceny, traffic offenses, and various narcotic related offenses. During the course of these investigations, I conducted interviews with victims, witnesses, and suspects.

In May of 2018, I was assigned as a Field Training Officer for Community Service Officers who graduated the Sacramento Police Department's Community Service Officer academy. As a Community Service Officer Trainer, my duties and responsibilities were to assist trainees in conducting thorough investigations of cases such as missing persons, burglaries, larcenies, vandalism, and traffic collisions. I educated trainees on department policies as well as legal procedures.

Additionally, while working as a patrol officer, I have assisted with the service of two (2) search warrants. I have conducted no less than fifty (50) probation searches of residences, persons, and vehicles resulting in the arrests of numerous suspects for various crimes.

During the course of my career, I have spoken to victims, witnesses, and suspects about how crimes were perpetrated, as well as how evidence was concealed and/or disposed. I have also talked to more experienced officers and detectives who have described the modus operandi of suspects regarding these crimes and their experiences with the disposal of evidence in these crimes. I have learned from my training, education, and experience that persons who commit robberies, burglaries, and grand thefts will often maintain certain items of evidence at their residence or in their vehicle(s) for extended periods of time.

In July of 2018, I was assigned to the Office of Operations, Marijuana Compliance Team. Since graduating the Sacramento Police Academy in December of 2015, I have been to no less than eight (8) indoor marijuana grows. I have spoken directly with other officers on the Marijuana Compliance team regarding marijuana growth cycles, power usage and lighting methods of indoor marijuana grows, and the modus operandi of criminals who illegally cultivate marijuana.



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CASE SUMMARY

The Sacramento Police Department periodically receives lists of residences using unusually high amounts of power from the Sacramento Municipal Utility District.

On 8-14-2018, I initiated an investigation of a residential marijuana growing operation at 7636 Tierra Wood Way, located in the City and County of Sacramento due to high power usage.

On 8-14-2018, I requested information from the Sacramento Municipal Utility District, hereinafter referred to as "SMUD," for an assessment of the power usage. I know from my training and experience that indoor marijuana grows utilize an inordinate amount of electric power in relation to the regular usage of structures around them.

On 08-14-2018 SMUD investigator Duggan completed a SMUD check under my direction for the residence located at 7636 Tierra Wood Way. Duggan advised me that Rong Ai Li is the listed subscriber on the SMUD utilities account since 03-27-18. Duggan further reported that the power usage of the residence was 10301 kWh from 06-23-18 to 07-24-18. From 05-25-18 to 06-22-18, the power usage was 8832 kWh. From 06-23-18 to 07-24-18, Investigator Duggan advised that the house was running marijuana grow lights on two separate 12 hour cycles with some lights running from 0600 hours to 1800 hours, and other lights running from 1800 hours to 0600 hours. Duggan provided the subscribers name, California driver's license number, and social security number as follows: Rong Ai Li, CDL# Y8623205, SSN: 851-14-3485.

I personally spoke with SMUD Investigator Duggan about his experience and the power usage at 7636 Tierra Wood Way. SMUD investigator Robert Duggan is a SMUD Revenue Protection Representative who is responsible for the investigation of power theft, fraud cases, and high usage investigations. Duggan has been employed with SMUD for 30 years and has been an investigator for 7 years. Duggan has investigated over 300 indoor marijuana grows. Investigator Duggan has provided information to Sacramento Police Officers (SPD) on no less than ten occasions, which has resulted in search warrants issued and where marijuana grow operations have been located. Furthermore, SMUD Investigator Duggan has to my knowledge never incorrectly assessed kilowatt usage, amperage draws, or power cycles of illegal marijuana grows with common power consumption.

Based on my training, experience, and the experience of other knowledgeable illegal grow investigators I have spoken to, I know that 12, 18, and 24-hour power cycles are consistent with illegal indoor marijuana grow operations. The grow light cycles artificially replicate the sun and trick the marijuana plant into grow cycles. This replicates the outdoor growing season in a condensed time frame. The 12-hour light cycle mimics the fall growing season and usually occurs just prior to harvest. An 18-hour cycle mimics late spring and summer times and makes up most of the grow time of a marijuana plant. 24-hour cycles are generally used when a marijuana plant has just started growing from a seed or clone cutting.



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On 08-14-18, I conducted a records check of Rong Ai Li through NCIC with the social security number and ID number provided by Investigator Duggan. I located a California Driver's License for Rong Ai Li (License# [REDACTED]). Li's listed mailing address on the license was 6912 Tierra Green Way. The descriptors listed on the license described Li as 5'10", 150 lbs, with black hair and black eyes.

On 08-14-18, I conducted a records check in the Sacramento County Parcel Viewer for the address of 7636 Tierra Wood Way. County records list the owner as Thao T Vo. The listed mailing address for Thao T Vo was 5412 Madison Ave Apt 140 in Sacramento, CA, 95841. The square footage of the 7636 Tierra Wood Way was listed at 1,504 square feet.

On 08-14-18, I conducted a records check of 7636 Tierra Wood Way in Sacramento Police Department's Records Management System (RMS). On 05-31-18 at 2115 hours, SPD Dispatch received a call for a welfare check of 7636 Tierra Wood Way (SPD Call# 18-165162). The complainant, a neighbor, advised that the garage door to 7636 Tierra Wood Way had been open since 2000 hours the previous day. Officer Evelia Rios #882 responded to the residence.

On 08-14-18, I contacted Ofc. Rios and spoke with her regarding the incident on 05-31-18. Ofc. Rios told me that when she had been to the residence it had appeared to her to be a residential marijuana grow. She told me that she had found the garage door open, and she had found four marijuana grow lights in plain view inside the garage on the floor. Ofc. Rios only made entry to the garage to secure the residence and did not see the interior of the residence. Ofc. Rios told me that the residence had been fortified in a manner that is common in residential marijuana grows. She recalled that the door from the garage to the interior of the residence had appeared fortified, and that the door from the garage to the back yard of the residence had been secured with a 2"x4" board. Ofc. Rios advised that she had not contacted anyone at the residence and had secured it then left the scene.

On 08-14-18, I drove by 7636 Tierra Wood Way and noticed that there was a black, metal security cage surrounding the front door to the residence. There were external bars on all of the visible windows to the residence. Near the garage of the house, there were two surveillance cameras which faced down the driveway and towards the entrance to the residence. Looking from the street, I did not notice any environmental, structural, or additional improvements to the location that would explain the power usage noted in this affidavit.

On 08-14-18 when I drove by 7636 Tierra Wood Way, I observed a vehicle parked on the street directly in front of the house. The vehicle was a grey 2005 Toyota Sienna, license plate of [REDACTED].

On 08-14-18, I conducted a DMV records check of the Toyota Sienna (LIC# [REDACTED]). The vehicle was registered to Shu Fei Li with a listed address of 6565 Blanche Dell Dr.



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On 08-14-18, I conducted a WebKPF records check of Shu Fei Li. I located a subject by the name of Shu Fei Li (DOB: ..). Li was on formal, searchable probation through 04/22/23 for 11366 HS, 11359(B) HS, and 11358(C) HS (Docket# 18FE005974).

On 08-14-18, I queried Shu Fei Li through Sacramento Police Records Management System. Shu Fei Li's probation status was from SPD report number 18-90899. I read through SPD report number 18-90899. On 03-27-18, Shu Fei Li was arrested by Sacramento PD at 6565 Blanche Dell Dr for an Indoor marijuana cultivation. Officers located a 9mm Beretta handgun inside the residence registered to Rong Ai Li (DOB: ..). As mentioned above, Rong Ai Li is the current listed SMUD customer for 7636 Tierra Wood Way. Per SPD Rpt# 18-90899, when Shu Fei Li was arrested, he admitted to having a firearm in the house and stated that the gun was purchased for him by his son.

The power usage for 7636 Tierra Wood Way is extremely high for a 1,504 square foot residence, especially when comparing power usage to similar sized residences that consume far less power than 7636 Tierra Wood Way. Investigator Duggan advised me that the power usage for 7636 Tierra Wood Way was abnormally high and that the power usage was indicative of an Indoor marijuana grow. From my experience in investigating and assisting with Indoor marijuana grow investigations and from speaking with investigators more experienced than myself, the consumption of power at 7636 Tierra Wood Way is consistent with an Indoor marijuana grow, with more than six plants. Investigator Duggan advised me that similar residences in the area used between 347 kWh and 1,458 kWh during the period from 06-22-18 to 07-23-18.

Based on my training and experience and the experience of other more experienced investigators, along with instruction from SMUD Investigators, I know that the average U.S. household has 45 light bulbs. I also know that the average light bulb in a U.S. residence is between 40 and 60 watts. The consumption of a single 60-watt light bulb operating for one hour is .06 kWh. Information provided by the United States Energy Information Administration states that the average annual electricity consumption for a U.S. residence is approximately 10,766 kWh with an average monthly usage of 897 kWh. Extrapolated, the average daily consumption of a U.S. household is 29.49 kWh. Based on the dates provided by SMUD for the last billing cycle, the average daily kWh usage of 7636 Tierra Wood Way is 332 kWh.

Based on my training and experience I know that marijuana growers typically utilize 1000 watt grow lights that are most often high-pressure sodium lights, metal halide, and ceramic metal halide lights. These lights require cooling systems. These 1000 watt lights also require ballasts to power the lamp and convert normal household voltage to that used by the light(s).

Based on my training and experience, I know that marijuana plants usually take approximately 90 days to grow to full maturity. I know that indoor marijuana growers utilize 1000 watt lights or natural sunlight. These indoor lights are used as a substitute



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for natural sunlight. As the marijuana plant matures, the marijuana grower will trim them on an ongoing basis. This is done to facilitate a more rapid and vigorous growth of the marijuana plant(s) and could provide the marijuana growers with marijuana for their own consumption. This dried marijuana is usually kept within the residence, vehicle(s), and/or upon the persons of the marijuana growers themselves or may be discarded or destroyed. Furthermore, I know that persons who cultivate marijuana will distribute marijuana they produce to other persons for profit. They will also transport the marijuana they distribute in vehicles they own or have control over.

Based on my training and experience, I know that persons(s) involved in the illegal cultivation, sales, and transportation of marijuana will normally have most, if not all, of the following items of evidence at the cultivation location or other locations listed in the affidavit: marijuana, marijuana seeds, fertilizer, irrigation devices, garden tools, growing containers, electrical devices which aid in the growth of the marijuana plants such as: timers, pumps, ballasts, lights, climate control devices, generators, and books or instructional manuals to aid in the growing of marijuana, baggies, scales, pay/owe sheets, records of growing cycles, and light cycles.

Based on my training and experience I know that non-law enforcement specialists are often needed to assist officers at the scene on an illegal indoor marijuana grow, and to evaluate the potential danger the residence poses to the officers, occupants, and the neighboring structures. It is common for indoor marijuana grows to have dangerous modifications to the electrical system as well as unsafe structural modifications, which cause the residence to be uninhabitable and a fire danger to the neighboring community. These specialists may include SMUD, inspectors from the Sacramento City Dangerous Buildings Unit, and inspectors from the City of Sacramento Code Enforcement and personnel from the City of Sacramento Fire Department. I would request the ability to employ such specialists to aid my investigative effort.

Based on my training and experience, I know that items of Indicia found within the places to be searched will help establish the identity of person(s) in dominion and control of the remises and provide additional evidence against those involved in the conspiracy to illegally cultivate marijuana.

Based on my training and experience, I know that person(s) involved in illegal marijuana cultivation will keep, in the locations listed to be searched, receipts, invoices, or bills showing the purchase or sale of property or items utilized for the cultivation of marijuana, such as: seeds, fertilizers, irrigation devices, garden tools, growing containers, electrical devices which aid in the growth of marijuana plants, such as timers, pumps, ballasts, lights, climate control devices, and books or instruction manuals to aid in the growing of marijuana.

Based on my training and experience, I know that illegal cultivators and sellers of marijuana commonly utilize their vehicle(s) for transportation of marijuana and other marijuana related items of evidence listed in this affidavit.



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Based on my training and experience, I am aware that persons involved in illegal marijuana cultivation and the sales of marijuana, will commonly use computer devices and cellular telephones to facilitate their illegal activity. They will use computer devices and cellular telephones to store customer names, drug sales information, inventory information, profit records, and accounts receivable (pay/owes) as well as searching the Internet for information on the cultivation of marijuana. Therefore, I request authorization for officers to seize computer devices and data storage devices, until a subsequent search warrant could be authorized for their examination.

Health & Safety Code section 11358(c) states: *each person 18 years of age or over who plants, cultivates, harvests, dries, or processes more than six living cannabis plants shall be punished by imprisonment in a county jail for a period of not more than six months or by a fine of not more than five hundred dollars (\$500), or by both that fine and imprisonment.*

Health & Safety Code section 11366 makes it a felony for every person who opens or maintains any place for the purpose of unlawfully selling, giving away, or using marijuana.

Based on the aforementioned information, it is my opinion that marijuana is being illegally cultivated at 7636 Tierra Wood Way and items listed in this warrant will be found at the location(s) to be searched. I request a search warrant be issued for:

THE PREMISES KNOWN AND DESCRIBED AS:

I personally observed and described 7636 Tierra Wood Way as follows:
7636 Tierra Wood Way is a single family, single story residence located on the south side of Tierra Wood Way. It is the second house east of the intersection of Tierra Wood Way and Solara Way. It is tan in color with light tan trim and a grey composite roof. It has a single front door that faces north. The garage door is north of the front door and faces north. The garage door is white in color with light tan trim. The numbers 7636 are gold in color and mounted east of the garage door facing north. The numbers are positioned diagonally and can be clearly seen from the street.

Also to include all attics, basements, and other parts therein, garages, storage sheds, storage lockers, garbage cans, safes, containers, mailboxes and out buildings of any kind located or belonging to the premises.

THE PERSON(S):

Rong Ai Li, male Asian adult DOB: , 27 years old, 5'10", 150 lbs, black eyes, black hair, CDL: , SSN: ,

THE FOLLOWING VEHICLE(S):



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Any and all vehicles found to be in under care and control of the occupants of 7636 Tierra Wood Way, Sacramento, CA 95828 at time of the execution of the search warrant, as evidenced by DMV registration, suspect, or witness statements as to actual use or possession of vehicle(s), or possession of vehicle key(s).

FOR THE FOLLOWING PROPERTY:

Marijuana; and items commonly associated with the cultivation and packaging for sale of marijuana, such as: baggies, scales, pay/owe sheets, records of growing cycles and light cycles.

Property or items utilized for the cultivation of marijuana, such as: seeds, fertilizer, irrigation devices, garden tools, growing containers, electrical devices which aid in the growth of marijuana plants, such as timers, pumps, ballast, lights, climate control devices, generators, and books or instructional manuals to aid in the growing of marijuana.

Receipts, invoices or bills showing the purchase or sale of property or items utilized for the cultivation of marijuana, such as: seeds, fertilizer, irrigation devices, garden tools, growing containers, electrical devices which aid in the growth of marijuana plants, such as timers, pumps, ballast, lights, climate control devices, and books or instructional manuals to aid in the growing of marijuana.

Documents and items showing dominion and control over the premise; including but not limited to: keys, letters, bills, addressed mail/envelopes, and receipts for occupants, correspondence from financial institutions, articles of personal property tending to establish the identity of the person(s) in control of the premise(s), vehicle(s), storage areas, safes, out buildings and containers being searched.

I request authorization for employees from Code Enforcement, Dangerous Buildings, the Fire Department and representatives from SMUD assist officers during their investigation.

All data storage devices, computer devices or cellular phones. Any electronic devices will not be searched unless an additional search warrant is issued pursuant to SB178